



9-22-04

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/811,136
Applicant : Rapp, et al
Filed : March 26, 2004
Title : Production of a Transgenic Avian
by Cytoplasmic Injection

TC/A.U. : 1632
Examiner : Not yet assigned

Docket No. : AVI-025CIP

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Date Sept. 21, 2004
Signature Kyle Yesland
Name Kyle Yesland

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Amendment

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The references cited on the attached PTO/SB/08A forms are being called to the attention of the Examiner. In accordance with 37 C.F.R. §1.98(d), copies of the references can be found in Application No. 10/790,455, filed March 1, 2004 (Attorney Docket No. AVI-025) with the exception of reference numbers 56 to 109, copies of which are enclosed herewith except for references 56, 57, 62 and 64 to 70 which are issued U.S. Patents. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all of the relevant information, and no inference should be made that the information and references cited are, or are considered to be, material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such a fee from Deposit Account No. 501729. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kyle Yesland', is positioned above the printed name and address.

Kyle Yesland, 706-227-1170
Attorney for Applicants
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AviGenics, Inc.
Legal Department
111 Riverbend Rd.
Athens, Georgia 30605



AVI 025CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

RAPP ET AL)	Group Art Unit: 1632
)	
Serial No. 10/811,136)	Examiner: N/A
)	
Dated: Submitted herewith)	
)	Mail Stop: AMENDMENT
For: PRODUCTION OF A TRANSGENIC)	
AVIAN BY CYTOPLASMIC)	
INJECTION)	

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1. Transmittal Form;
2. Information Disclosure Statement
3. Form PTO/SB/08A and copies of (44 cited references); and
4. Return post card.

The 4 above-identified documents are enclosed herewith.

Respectfully submitted,

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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
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Total Number of Pages in This Submission

11

Application Number

10/811,136

Filing Date

March 26, 2004

First Named Inventor

Jeffrey C. Rapp

Art Unit

1632

Examiner Name

Not yet assigned

Attorney Docket Number

AVI-025CIP

ENCLOSURES (Check all that apply)

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Remarks

Total number of pages in this submission (11) does not include the pages of the enclosed references

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Kyle Yesland

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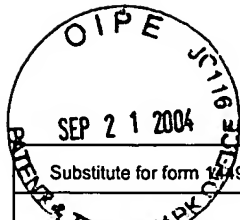
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Substitute for form 1049A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/811,136
				Filing Date	March 26, 2004
				First Named Inventor	Rapp, Jeffrey C.
				Art Unit	1632
(Use as many sheets as necessary)				Examiner Name	Not Yet Assigned
Sheet	1	of	7	Attorney Docket Number	AVI-025CIP

U.S. PATENT DOCUMENTS					
Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-5,672,485	09/1997	Foster, et al.	
	2.	US-6,397,777	06/2002	Andact, et al.	
	3.	US-6,632,672	10/2003	Calos	
	4.	US20020094516A1	07/2002	Calos	
	5.	US20030050258A1	03/2003	Calos	
	6.	US20020116732A1	08/22/02	Christmann	
	7.	US20020108132A1	08/08/02	Rapp, et al.	
	8.	US20030126629A1	07/03/03	Rapp, et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	9.		EP-A-43075	A2	01/1982	Europe		
	10.		1047381	A	02/1989	Japan		
	11.		WO 91/06309	A1	05/1991	Bringham		
	12.		WO 99/19472	A1	04/22/99	Ivarie, et al.		
	13.		WO 00/11151	A2	03/2000	Ivarie, et al.		
	14.		WO 00/56932	A2	09/2000	Harvey, et al.		
	15.		WO 02/38613	A2	05/2002	Kühn, et al. *		
	16.		WO 01/07572	A2	02/2001	Ow, et al.		
	17.		WO 01/49832	A2	07/2001	Schwenk		

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	18.	<i>STERNBERG et al</i> , Bacteriophage P1 site-specific recombination. I. Recombination between <i>loxP</i> sites, <i>J Mol Biol.</i> , 150:467-86 (1981)	
	19.	<i>MOSCOVICI et al</i> , Continuous tissue culture cell lines derived from chemically induced tumors of Japanese quail, <i>Cell</i> , 11:95-103 (1997)	
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	23.	<i>BUERSTEDDE et al</i> , Increased Ratio of Targeted to Random Integration after Transfection of Chicken B Cell Lines, Oct. 1991, <i>Cell.</i> , 67:179-188	
	24.	<i>THORNE et al</i> , Cytological evidence of maternal meiotic errors in a line of chickens with a high incidence of triploidy, 1991, <i>Cytogenet Cell Genet.</i> , 57:206-210	
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	26.	<i>ETCHES et al</i> , Chimeric chickens and their use in manipulation of the chicken genome, <i>Poult. Sci.</i> , 72:882-9 (1993)	
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	28.	<i>KILLARY et al</i> , Microcell Fusion, <i>Methods Enzymol.</i> , 254:133-52 (1995)	
	29.	<i>MILLER et al</i> , Assignment of <i>Rfp-Y</i> to the chicken major histocompatibility complex/ <i>NOR</i> microchromosome and evidence for high-frequency recombination associated with the nucleolar organizer region, <i>PNAC</i> , 93:3958-62 (1996)	
	30.	<i>ROBINETT et al</i> , In Vivo Localization of DNA Sequences and Visualization of Large-Scale Chromatin Organization Using Lac Operator/Repressor Recognition, <i>Journal of Cell Biology</i> , 135:1685-1700 (1996)	

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	31.	<i>THORNE et al</i> , Genetic analysis of triploidy in a selected line of chickens, 1997; <i>J Heredity</i> , 88:495-498	
	32.	<i>KUROIWA et al</i> , Efficient modification of a human chromosome by telomere-directed truncation in high homologous recombination-proficient chicken DT40 cells, <i>Nucleic Acids Res.</i> , 26:3447-48 (1998)	
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	39.	<i>DEJONG et al</i> , Efficient <i>in-vitro</i> transfer of a 60-Mb mammalian artificial chromosome into murine and hamster cells using cationic lipids and dendrimers, 2001, <i>Chromosome Res.</i> , 9:475-85	
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	41.	<i>GROTH et al</i> , A phage integrase directs efficient site-specific integration in human cells, <i>PNAS</i> , 97:5995-6000 (2000)	
	42.	<i>THYAGARAJAN et al</i> , Site-Specific Genomic Integration in Mammalian Cells Mediated by Phage Φ C31 Integrase, <i>Molecular and Cellular Biology</i> , 21:3926-34 (2001)	

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	43.	OLIVARES <i>et al</i> , Phage R4 integrase mediates site-specific integration in human cells, <i>Gene.</i> , 278:167-76 (2001)	
	44.	SMITH <i>et al</i> , Diversity in the serine recombinases, <i>Molecular Microbiology</i> , 44:299-307 (2002)	
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	50.	KOLOT <i>et al</i> , Site-Specific Recombination in Human Cells Catalyzed by the Wild-Type Integrase Protein of Coliphage HK022, <i>Biotechnol Bioeng.</i> , 84:56-60 (2003)	
	51.	SHERMAN <i>et al</i> , Transposition of the <i>Drosophila</i> element <i>mariner</i> into the chicken germ line, <i>Nat Biotech</i> 16:1050-1053 (1998)	
	52.	HOLLIS, <i>et al</i> , Phage integrases for the construction and manipulation of transgenic mammals, <i>Reprod Biology and Endoc.</i> , 1:1-11 (2003)	
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	54.	ANDREAS, <i>et al</i> , Enhanced efficiency through nuclear localization signal fusion on phage ΦC31-integrase: activity comparison with Cre and FLPe recombinase in mammalian cells, <i>Nucl. Acids Res.</i> 30: No.11, 2299-2306 (2002)	
	55.	BELTEKI, <i>et al</i> , Site-specific cassette exchange and germline transmission with mouse ES cells expressing ΦC31 integrase, <i>Nat. Biotechn.</i> 21:321-324 (2003)	

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	56.	US-5,175,384	12/29/92	Krimpenfort, et al.	
	57.	US-5,656,479	08/12/97	Petitte, et al.	
	58.	US20020108132A1	08/08/02	Rapp	
	59.	US20020199214A1	12/26/02	Rapp	
	60.	US20030140363A1	07/24/03	Rapp	
	61.	US20030126628A1	07/03/03	Harvey, et al.	
	62.	US-5,162,215	11/10/92	Bosselman, et al.	
	63.	US20020116732A1	08/22/02	Christmann	
	64.	US-5,011,780	04/30/91	Perry	
	65.	US-5,340,740	08/23/94	Petitte, et al.	
	66.	US-6,423,488	07/23/02	Harvey	
	67.	US-6,027,722	02/22/00	Hodgson	
	68.	US-4,997,763	03/05/91	Hughes, et al.	
	69.	US-5,731,178	03/24/98	Sippel, et al.	
	70.	US-6,596,296	07/22/03	Nelson, et al.	

FOREIGN PATENT DOCUMENTS								
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	71.		WO 02/079447	A2	10/10/02	Rapp		
	72.		WO 00/09674	A1	02/24/00	Yanagimachi		
	73.		WO 99/10505	A2	03/04/99	Etches		
	74.		WO 90/11355	A1	10/04/90	Simkiss		
	75.		WO 87/05325	A1	09/11/87	Rottman		
	76.		WO 97/47739	A1	12/18/97	MacArthur		
	77.		WO 99/42569	A1	08/26/99	Shemesh		
	78.		WO 02/064727	A3	08/22/02	Christmann		
	79.		WO 99/19472	A1	04/22/99	Ivarie, et al.		
	80.		WO 00/69257	A2	11/23/00	Readhead		
	81.		WO 0220752	A2	03/14/02	Christmann		

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	82.	BACHILLER <i>et al.</i> Liposome-mediated DNA uptake by sperm cells. 1991, <i>Molecular Reproduction and Development</i> , 30:194-200	
	83.	BALDARI <i>et al.</i> , A novel leader peptide which allows efficient secretion of a fragment of human interleukin 1 β in <i>Saccharomyces cerevisiae</i> 1987, <i>E.M.B.O.J.</i> , 6:229-234	
	84.	CIBELLI <i>et al.</i> Cloned transgenic calves produced from nonquiescent fetal fibroblasts. 1998 <i>Science</i> . May 22; 280:1256-1258	
	85.	COLLAS <i>et al.</i> , Nuclear localization signals enhance germline transmission of a transgene in zebrafish, 1998, <i>Transgenic Research</i> 7, 303-309	
	86.	ETCHES <i>et al.</i> Strategies for the production of transgenic chickens. 1997 <i>Methods Mol Biol.</i> ; 62:433-50	
	87.	EYESTONE AND CAMPBELL. Nuclear transfer from somatic cells: applications in farm animal species. <i>J. Reprod Fertil Suppl.</i> 1999;54:489-97.	
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Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/811,136
		Filing Date	March 26, 2004
		First Named Inventor	Rapp, Jeffrey C.
		Art Unit	1632
(Use as many sheets as necessary)		Examiner Name	Not Yet Assigned
Sheet 7	of 7	Attorney Docket Number	AVI-025CIP

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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